

BEFORE THE VIRGINIA GAS AND OIL BOARD

APPLICANT: Equitable Production Company

DIVISION OF GAS AND OIL  
DOCKET NO. VGOB 89-0126-009-08

RELIEF SOUGHT: MODIFICATION OF NORA COALBED GAS UNIT NOS.: VC-2005 (AY-51); VC-2008 (AY-47); VC-2208 (AX-42); VC-220 (AW-43); VCP-2279 (AW-49); VCP-2280 (AX-50); VC-3176 (AW-50); VCP-3311 (AW-51), VCP-3895 (AY-43), VCP-3967 (AX-51), VCP-4166 (AV-50), VC-4252 (AY-45), VC-4257 (AY-50), VC-4376 (AY-52), VC-4496 (AY-46), VC-4498 (AX-43), VC-4501 (AY-44), VC-4508 (AV-49), VC-4524 (AV-51), VC-4537 (AY-42), VC-4652 (AW-48), VC-4654 (AW-44), VC-5229 (AX-44), VC-5230 (AV-44), VC-5233 (AV-43), VC-6419 (AX-41), VC-6420 (AY-41), VC-536417 (AV-41), VC-4377 (AV-42), VC-535638 (AV-45), VC-536831 (AV-46), VC-3177 (AV-48), VC-535905 (AV-47), VC-536417 (AW-41), VC-5237 (AW-37), VC-5224 (AW-45), VC-536328 (AW-46), VCP-2278 (AW-47), P386C (AX-45), VC-5222 (AX-46), VC-535676 (AX-47), VC-536418 (AW-41), VC-4165 (AW-52), VC-3437 (AV-52), VC-3313 (AX-52).

AFFECTED UNITS: (See Attached Exhibit A)

APPLICATION

1. **Applicant and its counsel:** Applicant is Equitable Production Company 1710 Pennsylvania Ave., Charleston, West Virginia, 25302, (800) 926-1759. Applicant's Counsel is James E. Kaiser 220 Broad Street, Suite 202, Kingsport, TN 37660 (423) 578-3838.

2. **Relief sought:** (1) Modification of the Nora Coalbed Methane Gas Field Rules, to allow more than one coalbed gas well to be drilled within each of the 58.77 acre Nora Units identified above. (2) For an administrative order providing that additional well permits may be issued in the Nora Field after this application is filed and while it is pending.

3. **Legal authority:** 4 VAC 25-160-50 and § 45.1-361.20 of the Code of Virginia.

4. **Proposed provisions of order sought:** That additional coalbed methane gas wells may be drilled in each of the above referenced Nora Units; that the second well be located at least 600 feet from the nearest coalbed methane well and need not be more than 600 feet from the nearest coalbed methane well; (and that production/royalties from each coalbed methane well drilled in the said Units shall continue to be allocated solely to the owners and claimants of and to the coalbed methane within the Unit in which the well is located.)

5. **Type of wells and field:** Coalbed methane frac wells within the portion of the Nora Coalbed Gas Field described above, and as depicted in the attached Exhibit A.

6. **Formations subject to application:** All coal beds and coal seams including all Pennsylvania aged coals from the top of the Raven, but not limited to Jawbone, Greasy Creek, C-Seam, War Creek, Beckley, Lower Horsepen, X-Seam, Poca 6, Poca 5, Poca 3, Poca 2, and any unnamed coal seams and other associated formations known as the Nora Coalbed Gas Field.

7. **Description of interest/claim of persons being notified:** Coalbed methane.

8. **Estimated ultimate recovery in each Nora Unit identified above:** 700 MMCF

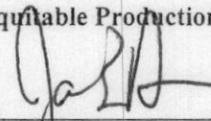
9. **Plat:** See Exhibit A annexed hereto.

10. **The boundaries and acreage affected:** see Exhibit A annexed hereto.

11. **Attestation:** The foregoing application to the best of my knowledge, information and belief is true and correct.

Equitable Production Company

By: \_\_\_\_\_

  
James E. Kaiser  
220 Broad Street, Suite 202  
Kingsport, TN 37660  
(423) 578-3838

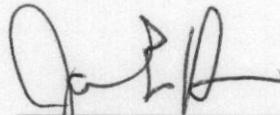
**AFFIDAVIT OF DUE OF DILIGENCE**

COMMONWEALTH OF VIRGINIA  
COUNTY OF DICKENSON

I, James E. Kaiser, after being duly sworn upon oath, state as follows:

1. I am responsible for the notification process required by VA. Code Ann. § 45.1-361.19 and VR 480-05-22.2 § 4.
2. That Equitable Production Company has exercised due diligence in attempting to locate and notice all owners and claimants who are unleased and/or who were not previously pooled by prior order(s) of the Virginia Gas and Oil Board regarding **the Nora Coalbed Gas Field**, all as required by Va. Code Ann. § 45.1-361.19 and VR 480-05-22.2.
3. That on **March 16, 2007** a true and correct copy of the Notice of Hearing with Exhibits will be mailed, via certified mail return receipt requested, to all owners and claimants listed in Exhibit B for whom mailing addresses were then available.
4. That Equitable Production Company will continue to exercise due diligence in attempting to locate and identify the names and/or addresses of any unknown of unlocatable parties and, if located or identified, will notify them of Equitable Production Company's application.

I have read the foregoing, and the information given above is true and correct to the best of my knowledge and belief.



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James E. Kaiser  
Counsel for  
Equitable Production Company

ACKNOWLEDGMENT

STATE OF TENNESSEE

COUNTY OF SULLIVAN

TAKEN, SUBSCRIBED AND SWORN to before me this 16<sup>th</sup> day of March, 2007.

Susan Peterson  
Notary Public



My commission expires: 11-12-08



**EXHIBIT "B"**  
**Modification**

Pine Mountain Oil & Gas Inc.  
Attn: Jerry Grantham  
P.O. Box 2136  
Abingdon, VA 24212

ALPHA Land & Reserves, LLC  
Attn: Larry Cline  
406 West Main Street  
Abingdon, VA 24210

Dickenson-Russell Coal Company  
Attn: Paul Campbell  
P.O. Box 1578  
Coeburn, VA 24230

WBRD LLC  
John Mooney  
PO Box 2827  
Huntington, WV 25727

ACIN LLC  
Attn: John Mooney  
PO Box 2827  
Huntington, WV 25727

WJD

BEFORE THE VIRGINIA GAS AND OIL BOARD

APPLICANT: Equitable Production Company DIVISION OF GAS AND OIL  
DOCKET NO. 89-0126-009-08

RELIEF SOUGHT: MODIFICATION OF  
NORA COALBED GAS FIELD

AFFECTED UNITS: Multiple (See Attached Exhibit A)

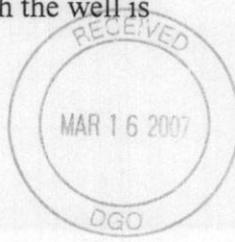
NOTICE OF HEARING

HEARING DATE: April 17, 2007  
PLACE: Southwest Virginia Higher Education Center  
Campus of Virginia Highlands Community College  
Abingdon, Virginia  
TIME: 9:00 a.m.

COMMONWEALTH OF VIRGINIA:

To: See Exhibit "B" attached hereto:

1. **Applicant and its counsel:** Applicant is Equitable Production Company, 1710 Pennsylvania Ave., Charleston, West Virginia, 25302, (800) 926-1759. Applicant's Counsel is James E. Kaiser, 220 Broad Street, Suite 202, Kingsport, TN 37660, (423) 578-3838.
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9. **Plat:** See Exhibit A annexed hereto.

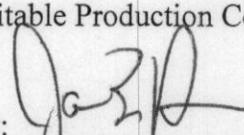
10. **The boundaries and acreage affected:** See Exhibit A annexed hereto.

11. **Attestation:** The foregoing notice to the best of my knowledge, information and belief is true and correct.

**NOTICE IS FURTHER GIVEN** that this cause has been set for hearing and the taking of evidence at the time and place first stated above and that notice will be published as required by law and the Rules of the Virginia Gas and Oil Board.

**NOTICE IS FURTHER GIVEN** that you may attend this hearing, with or without an attorney, and offer evidence or state any comments you have. For further information or a copy of the application and any exhibits thereto, you may contact the Virginia Gas and Oil Board, State Oil and Gas Inspector, Department of Mines, Minerals and Energy, Division of Gas and Oil, P.O. Box 1416, Abingdon, Virginia 24410, (276) 676-5423 or the Applicant at the address shown below.

Equitable Production Company

By: 

James E. Kaiser

220 Broad Street, Suite 202  
Kingsport, TN 37660  
(423) 578-3838

BEFORE THE VIRGINIA GAS AND OIL BOARD

Applicant: Equitable Production Company )  
)  
)  
Relief Sought: Modification of the Nora Coalbed Methane ) Docket No.  
Gas Field Rules, to allow more than one coalbed gas well to ) VGOB-89-0126-009-08  
be drilled and an order providing additional well permits )  
)  
)

AFFIDAVIT OF MAILING  
(CERTIFICATE OF SERVICE)

STATE OF TENNESSEE )  
)  
COUNTY OF SULLIVAN )



James E. Kaiser, of lawful age, being duly sworn, upon oath, deposes and says:

- (1) He is a partner with WILHOIT & KAISER, Agent for Equitable Production Company ("EPC") and makes this affidavit on behalf of EPC.
- (2) Based upon information and belief, the names and last-known addresses, where such addresses are known, of the parties owning an interest in the oil and gas in this cause are set forth and attached hereto.
- (3) On the 16th day of March, 2007, true and correct copies of the Application and the Notice of Hearing in this matter were placed in the United States mail in Kingsport, TN, certified mail, return receipt requested, postage prepaid, duly addressed to the unleased parties at their respective addresses as set forth in the attached Exhibit B which is hereby made a part of this Affidavit.
- (4) Notice of this cause has therefore been served by mail pursuant to the applicable statutes and rules of the Board.

*James E. Kaiser*  
James E. Kaiser

SUBSCRIBED AND SWORN TO before me this 10<sup>th</sup> day of April, 2007.

*Susan Peterson*  
Notary Public

My commission expires: 11-12-08